

AMENDED IN SENATE MARCH 24, 2010

AMENDED IN SENATE SEPTEMBER 1, 2009

AMENDED IN ASSEMBLY MAY 5, 2009

AMENDED IN ASSEMBLY APRIL 22, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

**No. 604**

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**Introduced by Assembly Member Fuller Members De Leon and  
Fuller**

February 25, 2009

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~~An act to amend Section 52891 of, and to repeal Sections 52879, 52951, 52952, and 52953 of, the Food and Agriculture Code, relating to cotton. An act relating to pest control, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 604, as amended, ~~Fuller De Leon. Cotton: San Joaquin Valley Quality Cotton District. Pest control: citrus disease prevention.~~

*Existing law creates in the Department of Food and Agriculture the California Citrus Pest and Disease Prevention Committee, composed as specified, with specified powers and duties, including, among others, the authority to develop, subject to the approval of the Secretary of Food and Agriculture, a statewide citrus specific pest and disease work plan that includes informational programs to educate and train residential owners of citrus fruit, local communities, groups, and individuals on the prevention of pests, and diseases and their vectors, specific to citrus and programs for surveying, detecting, analyzing, and treating citrus pests and diseases. Existing law authorizes the imposition*

*of a monthly assessment on citrus producers, as provided, for specified related purposes, and requires the assessment to be remitted to the department and deposited into the Citrus Disease Management Account in the Department of Food and Agriculture Fund, which funds in that account are available upon appropriation by the Legislature.*

*This bill would provide that the department is authorized to spend any funds collected pursuant to, and for the purposes of, the above provisions through June 30, 2010, thereby making an appropriation.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law establishes the San Joaquin Valley Quality Cotton District for the purposes of promoting, encouraging, aiding, and protecting the planting and growing of cotton in California. Existing law establishes the San Joaquin Valley Cotton Board, composed as specified, and establishes that one of the duties of the board is to annually review test data and approving for release and planting cotton varieties, as specified.~~

~~This bill would instead provide that the board has a duty to periodically review test data and approve for release and planting cotton varieties, as specified.~~

~~Existing law provides that the board has the power to sue and be sued, and to enter into contracts. Existing law establishes that copies of the board's proceedings, records, and acts, when certified by the secretary of the board, shall be admissible in evidence in all courts of the state. Existing law authorizes the board to annually assess cotton growers an amount, as specified, and requires that this money be used exclusively for promotion, research, and related administrative expenses.~~

~~This bill would repeal those provisions.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: ~~no~~yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. *The Department of Food and Agriculture is*  
 2     *authorized to spend any funds collected pursuant to, and for the*  
 3     *purposes described in, Article 2 (commencing with Section 5911)*  
 4     *of Chapter 9 of Part 1 of Division 4 of the Food and Agricultural*  
 5     *Code through June 30, 2010.*

6     SEC. 2. *This act is an urgency statute necessary for the*  
 7     *immediate preservation of the public peace, health, or safety within*

1 *the meaning of Article IV of the Constitution and shall go into*  
2 *immediate effect. The facts constituting the necessity are:*

3 *In order for the California Citrus Pest and Disease Prevention*  
4 *Committee and the Department of Food and Agriculture to fulfill*  
5 *their statutory obligations to develop and implement a work plan*  
6 *to deal with the introduction of Asian citrus psyllids, a tiny insect*  
7 *that often carries citrus green disease, a pathogen that has*  
8 *destroyed groves in Florida and wiped out much of the citrus*  
9 *industries in China, India, Saudi Arabia, Egypt, and Brazil, at the*  
10 *earliest possible time, it is necessary for this act to take effect*  
11 *immediately.*

12 ~~SECTION 1. Section 52879 of the Food and Agricultural Code~~  
13 ~~is repealed.~~

14 ~~SEC. 2. Section 52891 of the Food and Agricultural Code is~~  
15 ~~amended to read:~~

16 ~~52891. The powers and duties of the board shall include, but~~  
17 ~~not be limited to, all of the following:~~

18 ~~(a) Establish a separate Acala and Pima quality standard. When~~  
19 ~~determining each standard, the board shall consider fiber length,~~  
20 ~~strength, uniformity, micronaire, seed quality, productivity,~~  
21 ~~resistance to disease, including verticillium wilt, and spinning~~  
22 ~~characteristics.~~

23 ~~(b) Periodically review test data and approve for release and~~  
24 ~~planting within the district, cotton varieties that meet the existing~~  
25 ~~Acala or Pima quality standard but are superior in some meaningful~~  
26 ~~respect, as determined by the board, and that have qualities~~  
27 ~~generally recognized by the cotton industry to be essential factors~~  
28 ~~in producing that cotton within the district, or significant area~~  
29 ~~within the district.~~

30 ~~(c) Conduct or commission tests for cotton production and~~  
31 ~~quality evaluation in accordance with procedures to be adopted~~  
32 ~~pursuant to Section 52902, and assess fees necessary for~~  
33 ~~administering those tests.~~

34 ~~(d) Conduct periodic referendums, as specified in this chapter,~~  
35 ~~regarding the continuation of the district. A referendum shall also~~  
36 ~~be conducted whenever the board proposes substantive changes~~  
37 ~~in the Acala or Pima quality standard.~~

38 ~~(e) Require all cotton varieties approved for release for planting,~~  
39 ~~and produced in the district, to contain the word "Acala" or "Pima"~~

1 in labeling and all lint to be marketed as “SJV Acala” or “SJV  
2 Pima.”

3 (f) Recommend to the secretary on all matters pertaining to this  
4 chapter including, but not limited to, the program for enforcing  
5 this chapter and the setting of an appropriate seed assessment rate  
6 necessary for the administration of this chapter.

7 SEC. 3. Section 52951 of the Food and Agricultural Code is  
8 repealed.

9 SEC. 4. Section 52952 of the Food and Agricultural Code is  
10 repealed.

11 SEC. 5. Section 52953 of the Food and Agricultural Code is  
12 repealed.